

REMARKS

Claims 30-32, 34, 36, 40-50, 53, 54, 57-62 and 64 have been cancelled from the application. Claim 33 has been amended to be in independent format and claim 35 has been amended to depend upon claim 33. Both claims 33 and 35 have been amended to remove reference to variant nucleic acid molecules. Claim 37 has been amended to depend from claim 33 and claim 39 has been amended to correct a typographical error. Claim 51 has been amended to recite a method for the identification of a cancer. Both claims 51 and 52 have been amended to remove reference to protein/polypeptide sequences. Claim 65 has been amended to recite specific primers. Support for this amendment can be found, for example, at page 68, line 13 – page 69, line 1 of the substitute specification.

Newly added claims 66-68 depend from claim 35 and mirror subject matter recited in claims 37-39. Newly added claims 69-71 depend from claim 52 and are drawn to methods for diagnosing specific cancers. Support for these claims can be found, for example, at page 22, line 21 – page 23, line 10 of the substitute specification.

It is urged that support for all the above amendments may be found throughout the specification as originally filed, and that none of the amendments constitute new matter. Applicant further submits that the above amendments are not being made for reasons of patentability but to focus the claims on subject matter currently of highest interest to the assignee, and therefore do not give rise to prosecution history estoppel.

Early consideration and allowance of the amended claims is respectfully requested.

Respectfully submitted,

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